

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

ROBERT GLEN MYERS,

Plaintiff,

VS.

AFFTON DINER, LLC,

Defendant.

Case No. 4:25-cv-00815-MTS

MEMORANDUM AND ORDER

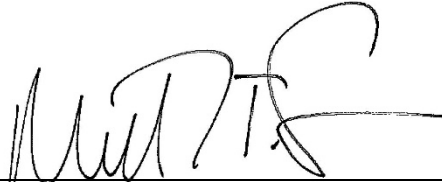
This matter is before the Court on review of Defendant’s pro se Motion to Dismiss. But Defendant’s filing came from Jonathan Aka, the “Managing Member” of Defendant, appearing pro se. The problem for Defendant, though, is that, as a business entity, it cannot appear pro se; it must appear through counsel. *See United States v. Van Stelton*, 988 F.2d 70 (8th Cir. 1993) (per curiam); *Carr Enters., Inc. v. United States*, 698 F.2d 952, 953 (8th Cir. 1983) (per curiam); *Painters Dist. Couns. No. 58 v. Platinum Enters., LLC*, 4:16-cv-1218-RLW, 2019 WL 3842577, at *1 (E.D. Mo. Aug. 15, 2019); *see also Bader v. Keefe Supply Co.*, 1:18-cv-0115-RWS, 2018 WL 3391546, at *2 (E.D. Mo. July 12, 2018) (noting that “[o]nly a licensed attorney may represent another party in federal court”); E.D. Mo. L.R. 12.01(A) (providing that “only attorneys enrolled pursuant to the rules of this Court . . . may file pleadings, appear, or practice in this Court,” though not prohibiting an “*individual* from appearing personally on his or her *own behalf*”) (emphasis added). The Court, therefore, will strike Mr. Aka’s filing but will provide Defendant forty-five (45) days to file its required response through an attorney.

Accordingly,

IT IS HEREBY ORDERED that the Clerk of Court is respectfully directed to **STRIKE** Defendant's Motion to Dismiss, Doc. [5], from the record.

IT IS FURTHER ORDERED that Defendant shall file its required response to the Complaint, through an attorney, no later than **Friday, August 29, 2025.**

Dated this 15th day of July 2025.



MATTHEW T. SCHELP
UNITED STATES DISTRICT JUDGE